

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

**NAKIA TYRELL MITCHELL,**

**Plaintiff,**

**V.**

**CSL PLASMA, INC,  
XYZ CORPORATION NO. 1,  
XYZ CORPORATION NO. 2,  
XYZ CORPORATION NO. 3,  
XYZ CORPORATION NO. 4,  
JOHN DOE DEFENDANT NO. 1,  
JOHN DOE DEFENDANT NO. 2,  
JOHN DOE DEFENDANT NO. 3,  
and JOHN DOE DEFENDANT  
NO. 4,**

## Defendants.



**CIVIL ACTION  
FILE NO.**

## **DEFENDANT CSL PLASMA INC.'S NOTICE OF REMOVAL**

COMES NOW **CSL PLASMA INC.**, Defendant in the above-captioned matter, and herein files its Notice of Removal pursuant to Fed. R. Civ. P. 8(c) and 28 U.S.C. §§ 1441 and 1446(a) and (b).

1.

Defendant has been sued in a civil action brought in the State Court of Gwinnett County, which is located within the Atlanta Division of the United States District Court for the Northern District of Georgia.

2.

Plaintiff is a resident and citizen of the State of Georgia.

3.

Defendant CSL Plasma Inc. is a Delaware corporation with its principal place of business in Florida.

4.

The Complaint was filed on July 21, 2023, in the State Court of Gwinnett County, Civil Action File No. 23-C-05090-S5. The Complaint and Summons were served on Defendant on July 25, 2023.

5.

The Complaint asserts claims by resident Plaintiff against non-resident Defendant. Plaintiff's Complaint seeks damages for personal injury. Plaintiff has alleged special damages in excess of \$100,000.

6.

This Notice of Removal is filed within thirty (30) days from the alleged date of service on Defendant. The removal of this action is made on diversity grounds.

7.

Defendant attaches, as Exhibit "A" to this original pleading only, the entire record in the State Court of Gwinnett County action.

8.

The aforementioned civil action is a civil action over which this Court has original jurisdiction and is one which may be removed to this Court by Defendant pursuant to the provisions of 28 U.S.C. § 1332(a) as well as 28 U.S.C. § 1441(a), because this Court has original jurisdiction in any action involving diversity grounds under the laws of the United States.

9.

Defendant has given written notice of the filing of this Notice to Plaintiff by mailing a copy of this Notice of Removal to Plaintiff's counsel via Certified Mail, Return Receipt Requested. Defendant has filed a written notice with the Clerk of State Court of Gwinnett County, a copy of both are attached, as Exhibit "B."

10.

The undersigned has read this Notice of Removal, and to the best of the undersigned's knowledge, information and belief, formed after reasonable inquiry, it is well-grounded in fact and is warranted by existing law, and it is not interposed for any improper purpose, such as to harass or cause unnecessary delay or needless increase in the cost of litigation. *See* Affidavit of Timothy L. Mitchell, attached hereto as Exhibit "C."

WHEREFORE, Defendant prays that the case be removed to the United States District Court for the Northern District of Georgia, Atlanta Division.

Respectfully submitted, this 24th day of August, 2023.

**CRUSER, MITCHELL, NOVITZ,  
SANCHEZ, GASTON & ZIMET,  
LLP**



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**TIMOTHY L. MITCHELL**  
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*Counsel for Defendant CSL Plasma  
Inc.*

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I FURTHER CERTIFY that the undersigned has mailed copies of the entire pleading referenced above to all counsel of record at the above addresses.

**CERTIFICATE OF COMPLIANCE**

Undersigned counsel certify the foregoing document has been prepared with one of the font and point selections (Times New Roman, 14 point) approved by the Court in Local Rule 5.1(C).

Respectfully submitted, this 24th day of August, 2023.

**CRUSER, MITCHELL, NOVITZ,  
SANCHEZ, GASTON & ZIMET,  
LLP**



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**TIMOTHY L. MITCHELL**  
Georgia Bar No. 460744  
*Counsel for Defendant CSL Plasma  
Inc.*

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